

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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HERB PITTS,

Plaintiff,

v.

**ORDER**

Civil File No. 17-4261 (MJD/TNL)

RAMSEY COUNTY, et al.,

Defendants.

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Herb Pitts, pro se.

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The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Tony N. Leung dated June 26, 2019. Plaintiff Herb Pitts filed objections to the Report and Recommendation.

Pursuant to statute, the Court has conducted a de novo review upon the record. 28 U.S.C. § 636(b)(1); Local Rule 72.2(b). Based upon that review, the Court adopts the Report and Recommendation of United States Magistrate Judge Leung dated June 26, 2019. Within Plaintiff's objections, he again requests that the Court appoint counsel. "In civil cases, there is no constitutional or statutory right to appointed counsel." Ward v. Smith, 721 F.3d 940, 942 (8th Cir. 2013). For

the reasons explained in the Court's January 3, 2018 Order, Plaintiff's request for counsel is denied. [Docket No. 24] Further, Plaintiff's case has been dismissed. Most of the claims were dismissed without prejudice, so Plaintiff is not legally barred from filing those same claims again. However, this case is closed. The motion for reconsideration has been denied. There is no need for the appointment of counsel in this case because this case has ended.

Accordingly, based upon the files, records, and proceedings herein, **IT IS HEREBY ORDERED:**

1. The Court **ADOPTS** the Report and Recommendation of United States Magistrate Judge Tony N. Leung dated June 26, 2019 [Docket No. 57].
2. Plaintiff's Motion to Object to Findings and Recommendation [Docket No. 58] is **OVERRULED** and his Motion to Appoint Counsel [Docket No. 58] is **DENIED**.
3. Plaintiff's Motion for Reconsideration under Local Rule 7.1(j) [Docket No. 49] is **DENIED**.
4. Plaintiff's requests for a hearing [Docket Nos. 55-56] are **DENIED**.

Dated: July 30, 2019

s/ Michael J. Davis

Michael J. Davis

United States District Court